IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO.2916 OF 2005

Smt.Savita Deoji Kharva
W/o. Deoji Vishram Kharva : Petitioner

V/s.

The State of Maharashtra & Ors. : Respondents

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Ms Usha Purohit for the petitioner.

Mr.G.W.Mattos, Asstt. Govt. Pleader for the respondents.

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CORAM : H.L.GOKHALE & S.R.DONGAONKAR,JJ.

DATE : MARCH 17, 2006.

P.C.

1. Heard Ms Purohit in support of this petition and Mr.Mattos, learned Asstt. Govt. Pleader for the respondents.

2. The petitioner herein has been staying in a transit camp at Mankhurd since June 1979. This is in view of the collapse of the earlier building occupied by her. The petition has been filed pointing out the medical difficulties of the petitioner. Ms Purohit has stated that the petitioner seeks a tenement of 225 sq. ft. elsewhere in lieu of her claim for the tenement in the original building. In that view of the matter, the

petitioner should file a declaration for that purpose in the office of the respondents pointing out her medical difficulties. Ms Purohit states that it will be filed within one week hereafter. In the declaration to be made by the petitioner, she will have to state that she is giving up her claim for regular accommodation in lieu of this accommodation for the one in original building which has collapsed. In the event the declaration is filed, the respondents will consider that declaration and allot an alternative permanent accommodation to the petitioner of 225 sq. ft. This order is passed in the peculiar facts and the ground of health raised by the petitioner.

3. Petition stands disposed of.

H.L. GOKHALE, J.

S.R.DONGAONKAR, J.